

IN THE HIGH COURT OF JUDICATURE OF BOMBAY  
CIVIL APPELLATE JURISDICTION

CIVIL REVISION APPLICATION NO.144 OF 2005  
WITH  
CIVIL APPLICATION NO.81 OF 2005

The State of Maharashtra & Anr. ..Applicants.

V/s.

Srimant Govindrao Narayanrao. . .Respondent.

Mr.A.R.Patil, AGP for applicants.

Mr.R.S.Patil, for respondent.

**CORAM: A.M.KHANWILKAR, J**

DATE : APRIL 21, 2006.

**P.C. :**

1. Heard counsel for the parties.
2. The only grievance canvassed before the Executing Court was that the State should not be made liable to pay interest in respect of the amount which was already deposited in the court during the pendency of the proceedings. This submission has been rejected by the Executing Court on the finding that the High Court order substitutes the order passed by the lower court and the consequences of such substitution is that the benefit given to the decree holder will relate back to the date of passing of the award.

3. Suffice it to observe that the order passed by this Court which was subject matter of the execution makes no provision to the effect that State will be liable to pay interest at the rate of 9% per annum only in regard to the amount which not deposited in court; nor any statutory provision has been brought to my notice that would absolve the Judgment Debtor-State from paying interest awarded by the court on such amount. Therefore, there is no substance in this Revision. Hence, Revision Application as well as civil application are dismissed.